

## **REMARKS/ARGUMENTS**

Reconsideration is respectfully requested.

This Response is responsive to the non-final Office action dated July 6, 2011, setting forth a shortened three-month statutory period for reply.

Claims 14-15, 18-20, 22-23, 32-34, 36-43, and 45-55 are pending in the application. Claims 14 and 22 are independent claims. By this Response, 19 and 20 are amended, claims 32, 42, 45, 52, and 54 are cancelled, and no new claims are added. Accordingly, after entry of this Response, claims 14-15, 18-20, 22-23, 3-34, 36-41, 43, and 46-51, 53, and 55 are pending in the application, with claims 14 and 22 being independent claims.

Applicants have not publicly dedicated, or abandoned, any unclaimed subject matter. Further, the Applicants have not acquiesced to any rejections made by the Examiner in the Office action. Applicants reserve the right to pursue prosecution of any presently or previously excluded or cancelled claim embodiments in one or more future continuation and/or divisional applications.

### **I. Interview Summary**

On August 18, 2011, the undersigned representative and Examiner Kosson conducted a telephonic interview, wherein the ODP, new matter, and obviousness rejections were discussed.

### **II. Information Disclosure Statement**

Applicants request consideration of the Supplemental IDS filed herewith.

### **III. Claim Rejections Under 35 U.S.C. § 112**

Claims 32, 42, 45, 52, and 54 are rejected under 35 U.S.C. § 112, first paragraph.

Without acquiescing or agreeing with the Office's position, but solely to facilitate allowance, claims 32, 42, 45, 52, and 54 have been cancelled.

Applicants respectfully request withdrawal of this rejection.

Applicants reserve the right to pursue cancelled claims at a future date.

#### **IV. Double Patenting Rejections**

Claims 14, 15, 18-20, 22, 23, 32-34, 36-43 and 45-55 have been rejected on the ground of nonstatutory obviousness-type double patenting over U.S. Patent Nos. 7,169,385, 7,273,606, 7,713,523, and copending U.S. Patent Application No. 10/953,328, which are commonly owned with this application. In response to this rejection, Applicant is submitting, with this Amendment and Response, a Terminal Disclaimer and the requisite small entity fee, which disclaims the terminal portion of any patent granted on the instant application which would extend beyond the expiration date of U.S. Patent Nos. 7,169,385, 7,273,606, 7,713,523, and copending U.S. Patent Application No. 10/953,328. The filing of a Terminal Disclaimer is not an admission as to the propriety of this rejection, but is being submitted merely as a means of expediting the prosecution of this application. Reconsideration and withdrawal of this rejection is respectfully requested.

### CONCLUSION

After entry of the above listing of claims and remarks, claims 14-15, 18-20, 22-23, 33-34, 36-41, 46-51, 53, and 55 are pending in the application. In accordance with the amendments and arguments set forth herein, the Applicants respectfully submit the application and all claims are in a condition for allowance, and request such prompt allowance.

The Amendment and Response is submitted within three months of the Office Action's mailing, therefore Applicants believe no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

Should any issues remain that the Examiner believes may be dealt with in a telephone conference, she is invited to contact the undersigned at 303-629-3400.

Dated this 20 day of September, 2011.

Respectfully submitted,



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